



CITY OF NEWPORT BEACH LAND USE ELEMENT ADVISORY AMENDMENT COMMITTEE AGENDA

Newport Beach Central Library
Friends Room
1000 Avocado Avenue
Tuesday, August 6, 2013
3:30 p.m. – 5:00 p.m.

Committee Members

Ed Selich, Councilmember (Chair)
Nancy Gardner, Council Member
Kory Kramer, Planning Commissioner
Larry Tucker, Planning Commissioner
Craig Batley, Member At-Large
Michael Melby, Member At-Large
Patricia Moore, Member At-Large
Jim Walker, Member At-Large
Paul Watkins, Member At-Large

Staff Members

Kim Brandt, Community Development Director
Brenda Wisneski, Deputy Community Development Director
Gregg Ramirez, Senior Planner
Tony Brine, Traffic Engineer
Woodie Tescher, The Planning Center | DC&E (consultant)

1) CALL MEETING TO ORDER

2) APPROVAL OF MINUTES

Recommended Action: Approve July 16, 2013 Meeting Minutes (Attachment 1)

3) PUBLIC OUTREACH (Attachment 2)

4) PRELIMINARY TRAFFIC FINDINGS OF POTENTIAL LAND USE CHANGES

5) OTHER POTENTIAL LAND USE CHANGES (Attachment 3)

- a. Issue Papers
 - i. Lido Village
 - ii. Mariners Mile
 - iii. Beach and Bay Mobile Home Park
 - iv. Congregate Care
- b. Other

- i. Public Correspondence (Attachment 4)

Recommended Action: 1) Direct staff to include additional areas for further study

6) NEXT STEPS

7) PUBLIC COMMENTS ON NON-AGENDA ITEMS

8) ADJOURNMENT – Next Meeting August 20, 2013 at 3:30pm

This Committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Committee's agenda be posted at least seventy-two (72) hours in advance of each regular meeting and that the public be allowed to comment on agenda items before the Committee and items not on the agenda but are within the subject matter jurisdiction of the Committee. The Committee may limit public comments to a reasonable amount of time, generally three (3) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act ("ADA") in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. If requested, this agenda will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Please contact the City Clerk's Office at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or cityclerk@newportbeachca.gov).

Attachment No. 1

Meeting Minutes

City of Newport Beach

Land Use Element Amendment Advisory Committee Minutes

Meeting Date: July 16, 2013

Location: Newport Beach Central Library – 1000 Avocado Avenue
Friends Room

Members Present: Edward Selich, Council Member (Chair)
Nancy Gardner, Council Member
Kory Kramer, Planning Commission
Larry Tucker, Planning Commission
Craig Batley, Member At-Large
Michael Melby, Member At-Large
Patricia Moore, Member At-Large
Jim Walker, Member At-Large
Paul Watkins, Member At-Large

Members Absent: None

Staff: Kimberly Brandt, Community Development Director
Brenda Wisneski, Deputy Community Development Director
Gregg Ramirez, Senior Planner
Don Webb, Public Works Director
Tony Brine, Traffic Engineer
Woodie Tescher, The Planning Center|DC&E (consultant)
Marissa Aho, The Planning Center|DC&E (consultant)

I. Call Meeting to Order

The meeting was called to order at 3:30 p.m.

II. Introductions

Chair Selich had members of the Committee, staff, and members of the public introduce themselves. Deputy Community Development Director Wisneski presented an overview of Brown Act requirements and indicated that action minutes and audio recording of the meeting will be available on the City's website.

III. Project Objectives

Deputy Community Development Director Wisneski introduced the project objectives which include updating the Land Use Element (LUE) to reflect where the community wants to go in the next 20 years, including matching the LUE with the vision efforts that were conducted through the Neighborhood Revitalization Projects. Charter Section 423 requires a vote of the residents for any changes in development capacity exceeding established thresholds, so the amendment timeline is targeting the November 2014 election.

IV. Work Program & Project Schedule

Woodie Tescher, Consultant for the Land Use Element Amendment, reviewed the project schedule indicating that the first task of the Committee was to identify the areas of potential land use or density change and their development capacity (increases and reductions) which will enable technical traffic and economic analysis to proceed. The Committee's next major task will be to recommend a project description for the supplemental General Plan EIR by October 1st. The environmental consultants will use the project description to quantify their analysis. The proposed schedule indicates that by the 1st of March, a draft planning and environmental documents will be available for public review.

Tescher referred to a more detailed outline of the content and direction of each Committee meeting which would remain flexible to address specific issues and objectives arising during the work program.

Commissioner Tucker sought confirmation that once the Committee recommends the land use and development capacity changes for the Project Description that those densities and intensities could be reduced subsequent to completion of the environmental assessment. Tescher confirmed that this was correct.

V. Discussion of Project Scope

Senior Planner Gregg Ramirez presented an overview of staff's recommended land use and development capacity changes using a PowerPoint presentation that will be available online as well as a handout summarizing the information that was available to the public.

The Committee discussed staff's recommendations. Staff indicated that preliminary assessments of their recommendations indicated that these were trip neutral (no net increase) on a citywide basis.

Wisneski asked the Committee to confirm what information they thought they would need, in addition to forthcoming traffic and economic analysis, to make their recommendations.

Tescher indicated that the objective of the economic analysis was to confirm that the densities and floor areas recommended are feasible for development.

Councilman Gardner asked staff how the community would be informed about this process. Staff indicated that they were planning to draft a press release and post information on the City's website and that the public can sign up with the City's Select Alert System to receive e-mail notifications about the project and committee meetings.

A question was raised regarding how unused trips (i.e., resulting from properties developed at lesser intensities than those defined by the Plan) would be addressed in the traffic model. Staff was requested to identify the status of Mariner's Mile and Lido Marina Village. The committee requested staff to include these areas in the planning program.

The Committee discussed other areas of the City that may be considered for changes in land use and development capacity, including the Community Center site on 15th Street, former City Hall site, Coast Highway, the Beach and Bay Mobile Home Park Bayside (a mobile home park at the west entrance to the City), and a new West Newport Community Center use. The Committee was asked to email staff with any other initial recommendations.

VI. Public Comment & Correspondence

Ramirez highlighted two requests that staff had received:

The first from Trumark Homes dated June 18, 2013 pertained to an existing site in Santa Ana Heights. The request was to increase the permitted dwelling units per acre from 14 to 20. Staff recommended not increasing the density as the site is located within the airport noise impact area and it is the City's policy to not allow additional residential units in areas within the 65dBA CNEL contour.

Staff indicated Trumark could submit an application, independent of the Land Use Element Amendment effort, to seek the appropriate approval from the City Council.

The Committee asked if staff could identify where 20 dwelling units per acre are permitted.

A congregate care facility representative commented that land use designations restrict the locations in which such facilities can be developed and requested that the City explore other appropriate designations. A general discussion ensued regarding the nature of this type of use. The Committee asked staff to provide information for where the desired use is currently permitted.

A member of the public, Karen Martin on behalf of John Saunders, asked how property owners could work with the Committee to submit requests. Deputy Community Development Director Wisneski indicated that community members should send requests to her and she would share with the Committee.

Chairman Selich recommended that the Committee discuss how best to work with property owners and community members at the next meeting.

Staff will also be recommending additional community outreach. This outreach program will be brought to the Committee at the next meeting for discussion. A brief discussion ensued regarding additional community outreach and potential study sessions.

VII. Public Comment on Non-Agendized Items

None.

VIII. Adjournment *Next Meeting Date: August 6, 2013, at 3:30 p.m.*

The agenda for the Regular Meeting was posted on July 10, 2013, at 4:45 p.m., on the City Hall Electronic Bulletin Board and placed in the agenda binders on June 11, 2013 both located in the entrance of the Council Chambers at 100 Civic Center Drive.

Attachment No. 2

Public Outreach

City of Newport Beach LAND USE ELEMENT AMENDMENT PUBLIC OUTREACH August 8, 2013

The Newport Beach Land Use Element Amendment process will include the following opportunities for outreach to the public:

- Press Release Announcing the Amendment process
 - July 2013
- City's Website Will Catalogue Meeting Information, Handouts, and Draft Documents.
 - July 2013 - June 2014
- Land Use Element Amendment Advisory Committee Meetings
 - July 16, 2013
 - August 6, 2013
 - August 20, 2013
 - September 3, 2013
 - September 17, 2013
 - October 1, 2013
 - November 5, 2013
 - December 3, 2013 or January 7, 2014
 - January 7, 2014 or February 4, 2014
- Land Use Element Amendment Public Informational Meetings
 - September 2013
 - March 2014 (TBD)
- Land Use Element Amendment Informational Session/EIR Scoping Meeting
 - November 2013 (TBD)
- Planning Commission
 - Project update and Discussion at scheduled meetings beginning August 8, 2013
 - September 19, 2013 - Review proposed land use changes and formulate recommendation for Council consideration
 - May 2014 - Public hearing(s)
- City Council
 - Study Session, September 24, 2013 - review proposed land use changes
 - June 2014 - Public hearing(s)

All meetings are will be open to the public and noticed in accordance with the Brown Act, as applicable. Additional outreach resources may include educational materials, additional public meetings or study sessions.

Attachment No. 3

Issue Paper

LIDO VILLAGE

Introduction

Lido Village is located along the bay southeast of the Newport Boulevard bridge entry to the peninsula (see Figure 1 below). It is developed as a pedestrian-oriented waterfront village that includes visitor-serving commercial uses, specialty stores, and marine uses. Lido Village has a unique location at the turning basin in Newport Harbor. The channel is wider than in other locations, providing an opportunity for waterfront commercial uses that will not negatively impact residential uses across the channel. Its southern edge, south of Via Lido, is flanked by specialty retail and restaurants, the former Civic Center site, and churches.

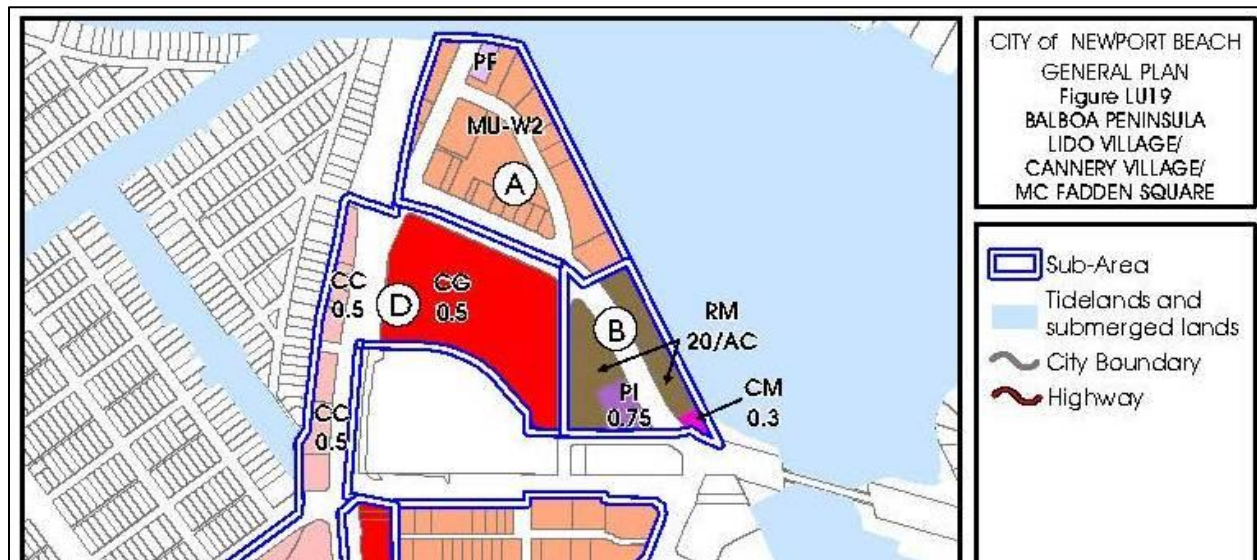
Since the General Plan's adoption in 2006, the following projects and events have occurred:

- A Neighborhood Revitalization Committee (NRC) and Citizen Advisory Panel (CAP) were formed to review the area in 2011. This effort resulted in the Lido Village Design Guidelines. Details of this process can be reviewed at <http://www.newportbeachca.gov/index.asp?page=1960>. The following is a link to the Design Guidelines:
http://www.newportbeachca.gov/PLN/MAP_DOCUMENTS/DESIGN_GUIDELINES/Lido_Village_Guidelines.pdf
- A hotel development team has been selected for the redevelopment of the former Civic Center site.
- Via Lido Plaza, commercial center south of Via Lido containing the Lido Theater is being renovated to accommodate West Marine.
- The Lido Villas project (Dart Industries) proposes development of 23 townhomes on the inland side of sub-area "B" shown on Figure 1 and is tentatively scheduled for Planning Commission hearing on August 22, 2013. A portion of this project would require a land use change from Private Institution-PI to Multiple Residential-RM.
- The central portion of Lido Marina Village, area shown as "A" on Figure 1, has been acquired in single ownership and extensive façade improvements are anticipated shortly.
- Renovation of the Landing commercial center at the corner of Newport Boulevard and 32nd Street has contributed significantly to revitalization of the area with the creation of new restaurants and a Pavilions Grocery store.
- Public improvements are anticipated along Newport Boulevard in the area of Lido Village which will include additional landscaping and pedestrian amenities.

General Plan Land Use Categories

The General Plan provides for the development of Lido Village as a pedestrian-oriented village environment that reflects its waterfront location with a mix of uses serving visitors and local residents, complemented by multi-family housing to its south. The following tables indicate the uses and densities permitted in these areas (excluding the Private Institution-PI and Public Facilities-PF classifications).

Figure 1



**Mixed Use Water 2—
MU-W2**

The MU-W2 designation is applied to waterfront locations in which marine-related uses may be intermixed with buildings that provide residential on the upper floors. Permitted uses include those permitted by the CM, CV, and MU-V designations. Free-standing residential shall not be permitted.

Mixed-Use Buildings: floor area to land ratio of 1.25; where a minimum floor area to land ratio of 0.35 and maximum of 0.5 shall be used for nonresidential purposes and maximum of 0.75 for residential.

In **Lido Marina Village** and **Balboa Island**, the maximum floor area to land ratio shall be 1.5; where a minimum floor area to land ratio of 0.35 and maximum of 0.7 shall be used for nonresidential purposes and a maximum of 0.8 for residential.

Nonresidential buildings: floor area to land area ratio of 0.5.

Multiple Residential—RM

The RM designation is intended to provide primarily for multi-family residential development containing attached or detached dwelling units.

Units per acre or cumulative amount of development as specified on the Land Use Figures

Relevant General Plan Policies

Furthermore, the General Plan includes the following goal and policies for this area:

LU 6.9

A pedestrian-oriented village environment that reflects its waterfront location, providing a mix of uses that serves visitors and local residents.

LU 6.9.2 Discouraged Uses

Discourage the development of new office uses on the ground floor of buildings that do not attract customer activity to improve the area's pedestrian character.

Issues/Opportunities

The following summarizes important issues affecting the land use designations and policies for Lido Village emerging since the General Plan's adoption.

1. Development, particularly on properties on the west side of Newport Boulevard, is aging and has a lack of parking.
2. A portion of the area is constrained by the lack of visibility, difficult access, and isolation from other areas of the community.
3. New property ownerships may afford the opportunity to stimulate interest in future reinvestments and improvements.
4. Relocation of the Civic Center to Newport Center represents a loss of local identity and activity and, at the same time, offers an opportunity for new use and development that will benefit Lido Village.

Recommendations

The following presents preliminary recommendations to address a number of the issues discussed in the preceding section.

1. Develop General Plan policies that are reflective of the Citizens Advisory Panel's effort and the Design Guidelines.
2. Establish policy committing to additional public improvements to address pedestrian connectivity.
3. Consider a policy which would allow existing commercial buildings that exceed the maximum floor area and/or do not provide the minimum number of parking spaces to be re-constructed to the pre-existing floor area provided that not less than the pre-existing number of parking spaces is provided. Similar policies apply to Balboa Village and Corona del Mar.

MARINERS' MILE

Introduction

Mariners' Mile is a heavily traveled segment of Coast Highway extending from the Arches Bridge on the west to Dover Drive on the east (see Figure 1 on the following page). Development is located in a narrow strip between the Newport Harbor frontage and the coastal bluffs. Generally, property depths are broader west of the projected extension of Irvine Avenue and narrow considerably to the east limiting the scale of potential development inland of the highway. The corridor is developed with a mix of highway-oriented retail and marine related commercial uses. The later are primarily concentrated on bay-fronting properties and include boat sales and storage, sailing schools, marinas, visitor-serving restaurants, and comparable uses. A large site is developed with the Balboa Bay Resort, a hotel, private club, and apartments located on City tidelands. A number of properties contain non-marine commercial uses, offices, and a multi-story residential building.

Inland properties are developed predominantly for highway-oriented retail, neighborhood commercial services. A number of sites contain automobile dealerships and service facilities and neighborhood serving commercial uses, including salons, restaurants, apparel, and other specialty shops ranging from wine stores to home furnishings stores. While single use free-standing buildings predominate, there are a significant number of multi-tenant buildings that combine a number of related or complementary uses in a single building or buildings that are connected physically or through design.

Among the development projects that have been completed or are in process since the General Plan's adoption are:

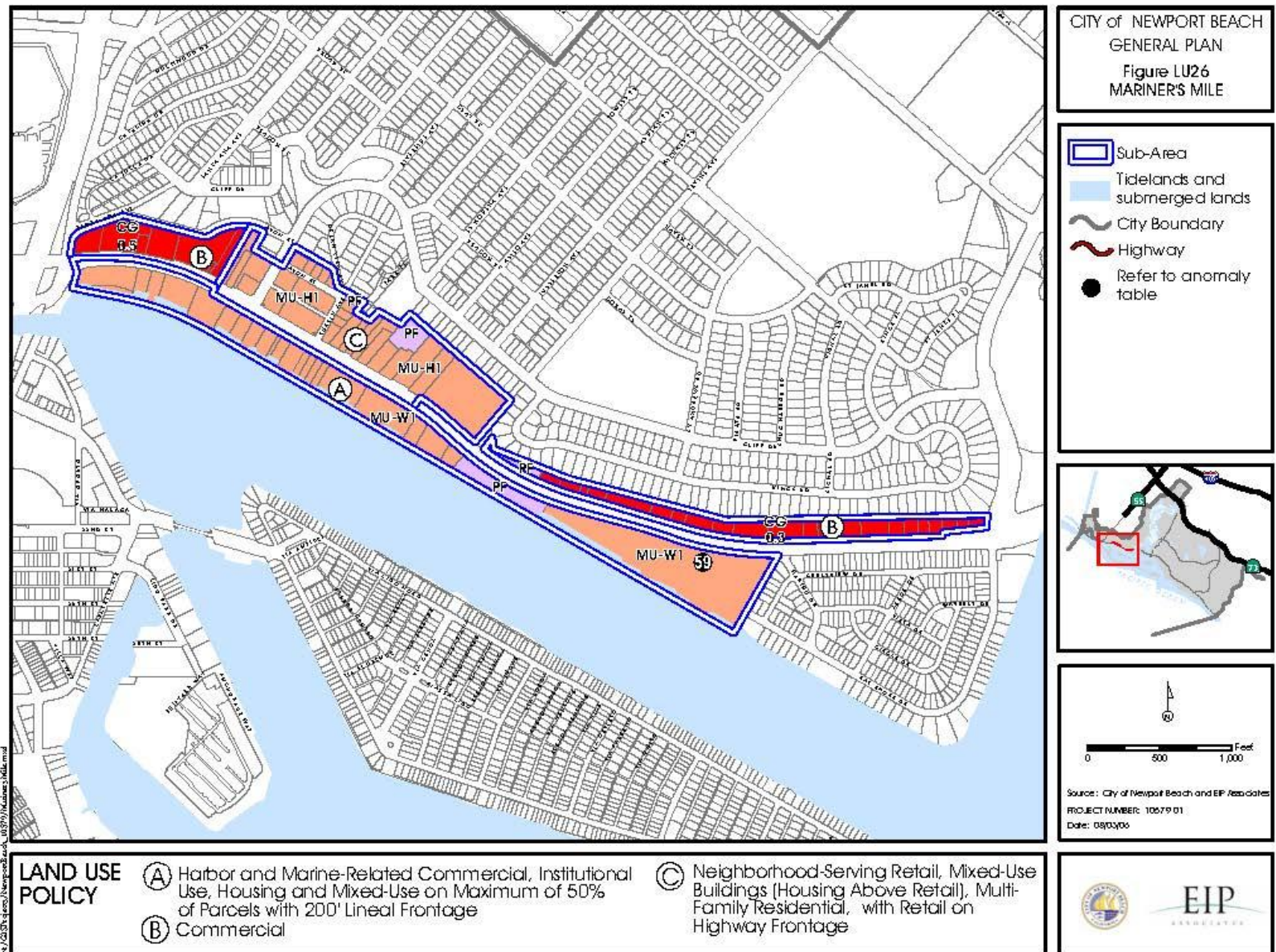
- Mariner's Pointe (new project under construction at Coast Highway and Dover Drive)
- Pizzeria Mozza (new project completed)
- Automobile dealerships and supporting uses remodeled (Ferrari, McLaren, and others)
- DivBar (remodeled restaurant completed)
- The Winery (formerly Villa Nova) alterations and remodel (currently in plan check)
- Best Western Expansion (completed)

General Plan Land Use Categories

The General Plan designates the majority of the Mariners' Mile corridor for mixed-use development (refer to Figure 1), permitting the construction of housing units in addition to the general commercial and marine-related uses that occupy the area today. Inland properties east of the projected extension of Irvine Avenue and west of properties along Riverside Avenue are limited to commercial uses.

The following tables indicate the uses and densities of development permitted in these areas. The easternmost property on the bay front (Balboa Bay Resort) is limited by the General Plan Anomaly Table (site reference "59") to a maximum of 487,402 square feet of development, of which 157 hotel rooms and 144 dwelling units may be constructed.

Figure 1



MIXED USE HORIZONTAL— MU-H	The MU-H designation is intended to provide for the development of areas for a horizontally distributed mix of uses, which may include general or neighborhood commercial, commercial offices, multi-family residential, visitor-serving and marine-related uses, and/or buildings that vertically integrate residential with commercial uses.	
Mixed Use Horizontal 1— MU-H1	<p>The MU-H1 designation provides for a horizontal intermixing of uses.</p> <p>For properties located on the inland side of Coast Highway in the Mariners' Mile Corridor, (a) the Coast Highway frontages shall be developed for marine-related and highway-oriented general commercial uses in accordance with CM and CG designations; and (b) portions of properties to the rear of the commercial frontage may be developed for free-standing neighborhood-serving retail, multi-family residential units, or mixed-use buildings that integrate residential with retail uses on the ground floor in accordance with the CN, RM, CV, or MU-V1 designations respectively.</p> <p>Properties located in the Dover Drive/Westcliff Drive area may also be developed for professional offices or mixed use buildings that integrate residential with retail or office uses on the ground floor in accordance with the CO and MU-V2 designations respectively.</p>	<p>Commercial or Office only: floor area to land ratio of 0.5.</p> <p>Multi-Family Residential only: 20.1–26.7 units per acre.</p> <p>Mixed-Use Buildings: floor area to land ratio of 1.5; where a minimum floor area to land ratio of 0.25 and maximum of 0.5 shall be used for non-residential purposes and a maximum of 1.0 for residential.</p>
MIXED USE WATER RELATED—MU-W	The MU-W designation is intended to provide for commercial development on or near the bay in a manner that will encourage the continuation of coastal-dependent and coastal-related uses in accordance with the Recreational and Marine Commercial (CM) designation, as well as allow for the integrated development of residential.	
Mixed Use Water 1— MU-W1	<p>The MU-W1 designation is applied to waterfront locations along the Mariners' Mile Corridor in which marine-related uses and residential are intermixed. Permitted uses include those permitted by the CM, CV, Multi-Family Residential (MFR), and Vertical Mixed Use (MU-V) designations. A minimum of 50% of any lot shall be used for the CM or CV land uses. A master or specific plans shall be required to assure that the uses are fully integrated and impacts from their differing functions and activities are fully mitigated.</p>	<p>Mixed-Use Buildings: floor area to land ratio of 1.25; where a minimum floor area to land ratio of 0.35 and maximum of 0.5 shall be used for nonresidential purposes and the number of residential units shall not exceed the cumulative total for Multi-Family Residential specified below.</p> <p>Commercial only: floor area to land area ratio of 0.5.</p> <p>Multi-Family Residential only: 12 units per acre, with the number of units calculated based on a maximum of 50% of the property.</p>
GENERAL COMMERCIAL— CG (*)	The CG designation is intended to provide for a wide variety of commercial activities oriented primarily to serve citywide or regional needs.	Floor area to land area ratio or cumulative development indicated in parentheses on Land Use Plan.

General Plan Policies

The General Plan policies for the Mariners' Mile area include:

1. Protect and encourage facilities that serve marine-related businesses and industries unless present and foreseeable future demand for such facilities is already provided for in the area (Policy LU 6.19.3). Prioritize the development on the inland side of Coast Highway for uses that serve upland residential neighborhoods such as grocery stores, specialty retail, service office, restaurants, and coffee shops (Policy 6.19.4).
2. Implement streetscape amenities consistent with the Mariners' Mile Specific Plan District and Mariners' Mile Strategic Vision and Design Plan (Policy 6.19.6).
3. Require buildings to be located and sites designed to afford clear views and access to the Harbor and Bay from Coast Highway (Policy 6.19.6).
4. Require inland properties fronting on internal streets to be located and designed to foster pedestrian activity, with parking to the rear or in shared facilities (Policy 6.19.11).
5. Require buildings to be located and designed to maintain the visual quality and structural integrity of the bluff faces (Policy 6.19.12).
6. Consider options for the relocation of the City parking lot on Avon Street to better support the corridor's retail uses (Policy 6.19.14).

Issues/Opportunities

The following summarizes important issues affecting the land use designations and policies for Mariners' Mile emerging since the General Plan's adoption.

1. Development densities are difficult to achieve due to the shallow parcel depths and, in some cases, narrow widths. Properties on the inland side of Coast Highway east of the projected extension of Irvine Avenue are constrained by their comparative shallow depths, particularly when combining building footprint and on-site parking. A number of inland parcels east of Tustin Avenue are characterized by narrow widths with deep lengths which constrain development of normal commercial floor plates.
2. Widening of Coast Highway to six lanes, as depicted in the County Master Plan of Arterial Highways, requires the dedication of frontages of some adjoining properties, which could exacerbate viability for development and intensification.
3. Horizontal mixed-use development along the bay front was originally anticipated in the 2006 General Plan, but was later rejected by the Coastal Commission. Vertical mixed-use development is permitted in this area, but densities were established specifically to accommodate horizontal mixed-use projects. Mixed use is difficult to achieve because of parking requirements and limited development standards.
4. The proposed relocation of the City parking lot (Policy 6.19.4) would require the acquisition and redevelopment of another site.

Committee Considerations

Should the Committee consider the appropriateness of mixed-use development on the bayside of the Coast Highway at this time, or should this review be considered with a Citizens Advisory Panel (CAP)? What other issues should a future CAP address?

Recommendations

The following presents preliminary recommendations to address a number of the issues discussed in the preceding section.

1. Add a General Plan policy directing the establishment of a Citizens Advisory Panel that would review circulation, parking management, as well as the following land use issues:
 - a. Revise the land use designations along the Coast Highway waterfront to limit development to commercial and marine-related uses and eliminate residential development capacity.
 - b. Review the appropriateness for accommodating high density residential uses on inland parcels based on market analyses and feasibility and the ability to sustain a sufficient base of commercial uses.
2. Revise Policy 6.19.6 to delete reference to the Specific Plan, which is no longer in place.

THE BEACH AND BAY MOBILE HOME PARK

Introduction

The Beach and Bay Mobile Home Park is located at the westerly entrance to the City, west of Newport Shores, east of the Santa Ana River, on the northerly side of West Coast Highway. The park has approximately 45 spaces for mobile homes and recreational vehicles. The Housing Element indicates indicate that the Beach and Bay Mobile Home Park “*appears to be in substandard physical decline and could be subject to redevelopment or replacement within this planning period (2013-2021).*”

General Plan Land Use Category Information

The General Plan designates the two parcels that compose the Beach and Bay Mobile Home Park as Multiple Residential (RM) 85 du/Open Space (OS). This is a dual land use designation similar to the approach used for Banning Ranch.

Relevant General Plan Policies

The General Plan includes the following policy for this specific property:

“LU 6.17.1 Western Entry Parcel [designated as “RM(26/ac)” and “RM/OS(85du)”]

Work with community groups and the County to facilitate the acquisition of a portion or all of the property as open space, which may be used as a staging area for Orange Coast River Park with parking, park-related uses, and an underpass to the ocean. As an alternative, accommodate multi-family residential on all or portions of the property not used for open space. (Imp 14.3, 29.1)”

Issues/Opportunities

The corresponding zoning of the property is currently Open Space; so the mobile home park is a legal nonconforming use and development. Any future redevelopment of the two parcels to a residential use would require a rezone to either a Planned Community District or a Multiple Family District, with a maximum density of 85 dwelling units.

There is not any current or proposed Housing Element program or policy to encourage the preservation of this mobile home park.

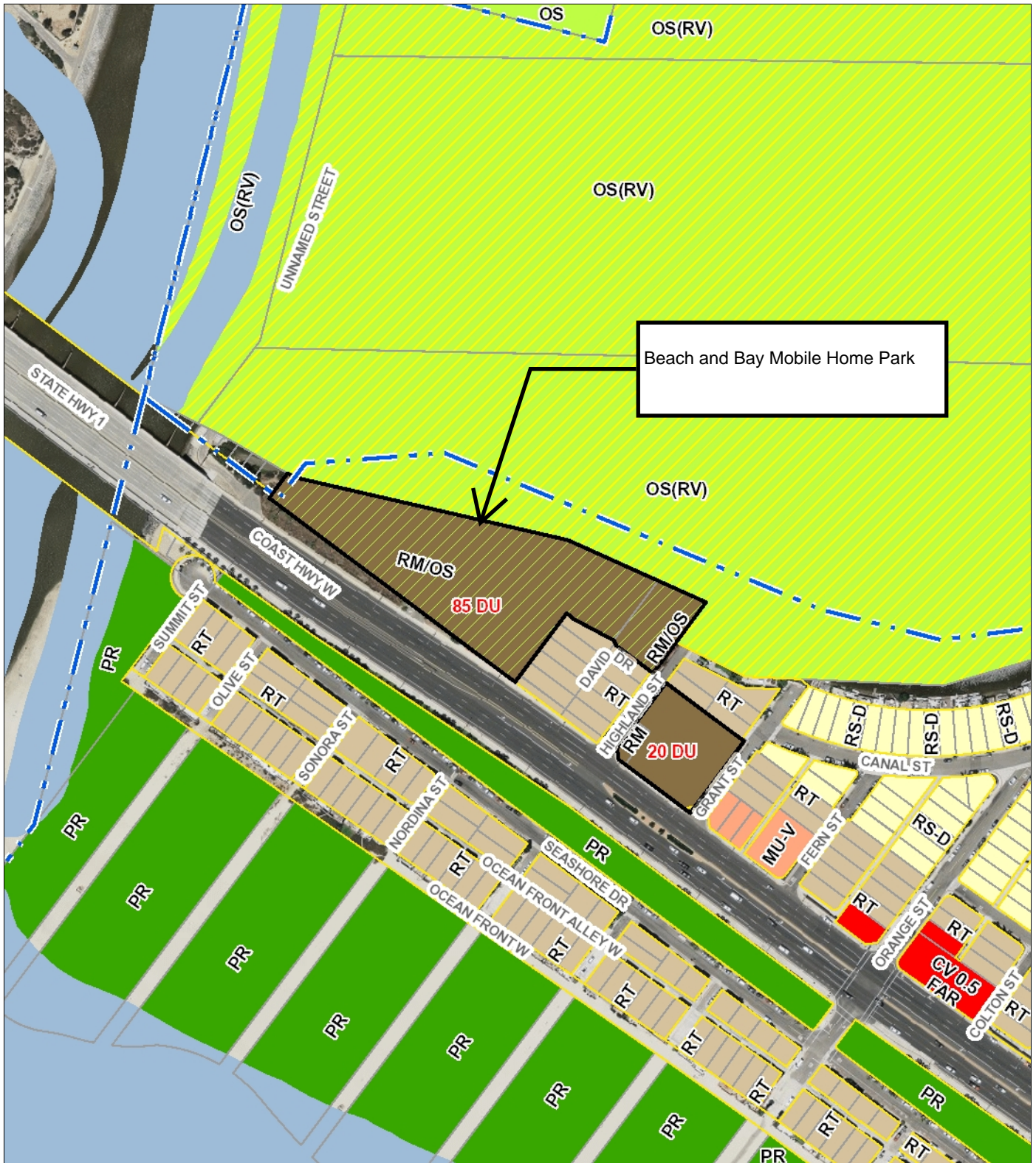
Any proposed closure of the mobile home park would be subject to applicable provisions of State Law, including the preparation and approval of a Closure Impact Report.

Committee Considerations

Is the current General Plan dual designation of RM/OS appropriate?

Recommendations

No change to General Plan. The existing designation allows flexibility for future re-development and creation of a Planned Community Zoning District.



Newport
Beach
GIS



0 262 523
Feet

Disclaimer: Every reasonable effort has been made to assure the accuracy of the data provided, however, The City of Newport Beach and its employees and agents disclaim any and all responsibility from or relating to any results obtained in its use.

Imagery: 2009-2011 photos provided by Eagle Imaging www.eagleaerial.com

7/29/2013

CONGREGATE CARE

Introduction

Congregate care* is currently a conditionally permitted uses, requiring a Minor Use Permit (MUP), within the PI (Private Institutions) land use areas only. Should this use be considered in other areas?

Private Institutional land designations are scattered throughout the City and typically represent privately owned properties that serve the public. Examples include religious assembly, private schools, health care, cultural institutions, museums, yacht clubs, congregate homes and comparable facilities.

* The Zoning Code defines congregate care homes as “an age-segregated housing built specifically for the elderly that provides services to its residents, the minimum of which is usually an on-site meal program, but which may also include housekeeping, laundry, social activities, counseling, and transportation (sometimes referred to as “assisted living facilities”).

General Plan Category Information

PI Land Use Areas

The PI land use areas are intended to provide for areas appropriate for privately owned facilities that serve the public, including places for assembly/meeting facilities (e.g., religious assembly), congregate care homes, cultural institutions, health care facilities, marinas, museums, private schools, yacht clubs, and comparable facilities.

Relevant General Plan Policies

Goal H 5 (Housing Element)

Housing opportunities for special needs populations.

Policy H 5.1

Encourage approval of housing opportunities for senior citizens and other special needs populations.

Issues/Opportunities

Congregate care uses are both residential and commercial in nature combining multi-family residential uses with additional amenities and services, similar to a hotel, college-dorm or other institutional facility. Congregate care facilities are typically contained within one or more buildings and require adequate open space and parking for some residents, visitors, and staff.

Similarly, convalescent facilities, which provide care on a 24-hour basis for persons requiring regular medical attention, are also conditionally permitted, requiring a MUP, in the PI land use area. However convalescent facilities are also conditionally permitted, requiring a CUP, in the RM and RMD (multi-family) land use areas and are permitted “by-right” in the OM (medical office) land use areas.

Committee Considerations

Should congregate care uses be conditionally permitted or permitted in areas other than the PI land use areas?

Recommendations

Allow congregate care in the same areas as convalescent facilities on the basis that the uses are similar.

Attachment No. 4

Public Correspondence



July 29th, 2013

Gregg Ramirez
Planning Division, Community Development Department
City of Newport Beach
100 Civic Center Drive
Newport Beach, California 92660
gramirez@newportbeachca.gov

Re: Land Use Committee General Plan Updates

Thank you for opportunity to submit suggestions to the Committee for the General Plan Update effort. On behalf of my client, Saunders Property Group ("Saunders"), there are two areas of focus;

- 1) Redevelopment of outdated commercial buildings in various areas of the City, in particular those sites identified in the recent Housing Element update; and
- 2) Redevelopment of John Wayne Airport area properties.

The City set a solid foundation for improvements in these areas through its inclusion of a mixed use designation during the 2006 General Plan. Last month, the Committee proposed actions intended to create updated language to further encourage these 2006 General Plan goals. The City's consultant explained that part of this effort will include a review of these General Plan goals to current market realities and then identify existing policies that may encourage or discourage some of these 2006 goals.

Saunders respectfully requests that the Committee consider the following ideas and suggestions:

- 1) To encourage the sites identified as opportunity sites in the Housing Element, an allowance for increases in density (additive units) through a combination of development right transfers (LU 4.3) and credits for provision of or proof of assessable existing amenities.

It may also be helpful for the Committee to review a sample current land costs, construction costs and development fees to determine actual viability of potential redevelopment with the current market conditions and what type of policy updates would encourage the goals and objectives of the City.

Further, it may be worthwhile for the Committee to consider how the FAR maximums and minimums impact the goals of redevelopment.

- 2) The 2006 General Plan identifies the John Wayne Airport area as opportunity for change (LU3.3). Similar to the suggestions above, the Committee should consider the creation of an Airport Mobility overlay district to make transfer of development rights easier and provide for additional land uses within the AO area. This overlay could provide additive development credits for trolley participation, affordable housing, amenities, and developments that provide extraordinary encouragement of pedestrian and bike connectivity within plan area and regional plans. The overlay could stipulate its own policy for transfers of development rights and also accommodate residential uses in areas that will eventually be outside the noise contour.

Thank you for efforts and consideration of our requests.

Karen Martin

Karen Martin
Pacific Planning Group, Inc
Karen@pacificplanninggroup.com
949.874.2795 mobile
949.613.8341 fax

Pacific Planning Group, Inc.
668 North Coast Hwy # 401
Laguna Beach CA 92651